

Bolton Conservation Commission
Minutes of Meeting
February 7, 2006

PRESENT: Scott Duhaime, Ed Englemann, Sarah Greenough, Lori Stephenson, and administrator Carol Gumbart.

1. Upcoming Meetings Ed Englemann said that he might attend the MACC Annual Meeting. No other members were planning to attend. Scott Duhaime and Lori Stephenson said that they would like to attend the Master Planning Committee meeting on the Right to Farm Bylaws. Ed Englemann said that he would attend the Heritage Landscapes Meeting.

2. Announcements Carol Gumbart said that the Crispin family of Green Road are creating an Approval Not Required Lot and a Backland Lot. Ms. Gumbart said that the land is on the real estate market so will have to come out of Chapter 61A. Ms. Gumbart said that since the town will be offered the right of first refusal the Commission should consider whether this land should be protected. Scott Duhaime said that he has not walked the property but that it does drop off to wetlands in the rear. Ms. Gumbart suggested that she contact someone with the Bolton Conservation Trust to let them know of the impending change and see if they have knowledge of the land. Ms. Gumbart said that while it is shown as a Priority 2 in the Open Space and Recreation Plan it may have deserve a higher level if there are wetlands. Ms. Gumbart said that it is in the Bower Springs Core Conservation Area.

2. Dixon. Bare Hill Road (RDA) Scott Duhaime continued a public meeting on a Request for a Determination of Applicability for Eileen Dixon, Map 7C, Parcel 55 Bare Hill Road. The applicant's consultant Gerry Buzanoski was not present but had agreed to the continued meeting. Mr. Duhaime said that Lori Stephenson, Sarah Greenough, and he attended a site visit with Brandon Ducharme and reviewed the wetland delineation. Mr. Duhaime said that the delineation was fine. Mr. Duhaime said that the slope is wooded and that they agreed that they should leave the pipe in the ground. Mr. Duhaime said that about 1.5 feet was exposed and should be removed by hand. Ms. Stephenson confirmed that they should not remove the majority of the pipe and that they should double the height the haybale line so that one haybale is on top of the other. Carol Gumbart asked if dewatering would be necessary to build the retaining wall? The Commission was not sure but thought a condition could be included to contain sediment if dewatering was necessary. A motion was made by Scott Duhaime, seconded by Sarah Greenough, to issue a Negative 3 Determination of Applicability with the conditions as outlined above. VOTE: Aye, unanimous.

3. Dragon. 412 Main Street (Bylaw NOI #3) Sarah Greenough opened the continued public hearing on the Notice of Intent filed under the Wetland Bylaw for work that occurred at 412 Main Street and work still to be completed. Mr. Dragon was unavailable to attend the meeting but he agreed that discussion could be continued. Scott Duhaime said that he made a visit to the site today. Ms. Greenough and Lori Stephenson said that they also looked at the site. Mr. Duhaime said that the landscape work to the rear of the house did not appear to be within the 100-foot buffer zone of West Pond but that he would be more comfortable if they would delineate the buffer zone during construction in some way. Mr. Duhaime said that he felt a revegetation plan should be required for the area to the left of the driveway to limit future encroachment. Mr. Duhaime suggested shrubs that will be approximately 6 to 10 feet in size. Ms. Stephenson said that a mix of coniferous and deciduous trees and shrubs would be good. The Commission agreed that the revegetation should occur between the telephone poll, the wetland and Main Street. A motion was made by Scott Duhaime, seconded by Ed Englemann, to close the public hearing. VOTE: Aye, unanimous.

A motion was made by Scott Duhaime, seconded by Ed Englemann, to issue an Order of Conditions with the conditions discussed above. Carol Gumbart will prepare the draft Order for review and approval. VOTE: Aye, unanimous.

4. Simmons Pond Park Main Street and Mechanic Street Ed Englemann opened the public meeting on a Request for a Determination of Applicability filed by Zachary Simmons to perform land management activities including brush removal, revegetation, herbicide treatment of poison ivy and installation of two stone benches, at Pond Park. Mr. Simmons was present and said that this work is related to his Eagle Scout project. Mr. Simmons said that he expects to perform the work in April and have the Department of Public Works perform the herbicide spraying on the poison ivy during August. Mr. Simmons said that he has a management plan with photographs and he will forward it to the Commission. Mr. Simmons said that the reason for the cutting the brush is to improve the access for skating. Mr. Simmons said that he previously met with Commission member Bill Fateiger and that he was comfortable with the removal of the vegetation. Mr. Simmons said that Mr. Fateiger agreed that his company would donate some trees to replace those that would be removed. Mr. Simmons said that the DPW has agreed to remove the brush cuttings. Mr. Simmons said that the benches would be placed near the school. Mr. Simmons said that they would be cemented into the ground. Mr. Simmons said that the footings for the bench would be dug manually. Since Mr. Fateiger was not present at the meeting the Commission requested a site visit. Mr. Simmons agreed to meet the Commission on February 11, 2006, at 8:00 a.m. Mr. Simmons agreed to continue the meeting to February 28, 2006, at 7:30 p.m.

5. Miner. 68 Hudson Road (112-508) Scott Duhaime opened the public hearing on the Notice of Intent proposing a replacement sewage disposal system. Terry Gensel, from David E. Ross Associates, Inc., was present representing Ms. Miner. Mr. Gensel said that he believes that the cesspool has failed and that they are required to replace it. Mr. Gensel said that they were very limited in where they could locate the system because of their own well, their neighbors well and the wetlands. Mr. Gensel said that the tank and the leach field are outside the 100-foot buffer zone but the sewer line is within the 100-foot buffer zone. Mr. Gensel said that the system is designed for a two-bedroom house. Mr. Gensel said that Steve Cyr flagged the wetlands and that it was essentially the edge of water or top of bank associated with West Pond. Mr. Duhaime asked they could continue the hearing so that the Commission could conduct a site visit. Mr. Gensel concurred. Carol Gumbart asked what they were going to do with the old cesspool? Mr. Gensel was not sure but he agreed to find out. A site visit was scheduled for February 11, 2006, at 7:30 a.m. The hearing was continued with the consent of Mr. Gensel to February 28, 2006, at 7:45 p.m.

6. McConnon. 96 Green Road (112-443) Carol Gumbart said that Rhonda McConnon has submitted a request for a Certificate of Compliance along with a letter from her engineer and as- built plans. Ms. Gumbart said that she asked Karen Augustine if she would conduct the site visit because she was the project manager. Ms. Gumbart said that Ms. Augustine did conduct a site visit and had some concerns with potential erosion. Ms. Gumbart said that she spoke with Ms. McConnon after the site visit and that she was told that they added rock along the edge of the haybales as Ms. Augustine had requested and that after the recent heavy rains last Sunday there had not been any erosion. Ms. Gumbart said that Ms. McConnon confirmed that the site was stabilized. A motion was made by Scott Duhaime, seconded by Sarah Greenough to issue a Certificate of Compliance. VOTE: Aye, unanimous.

7. Budget Meeting with Advisory Committee The Commission joined the Advisory Committee to discuss the Conservation Budget proposed for fiscal year 2007. The Advisory Committee asked some routine questions about the land maintenance account and other line item expenses. After a short discussion the Commission returned to their meeting in the adjoining hearing room.

8. Bylaw Discussion The Commission reviewed the revised bylaw as prepared by Carol Gumbart. Further questions were raised about the need to define adjoining land areas. It was suggested that instead of calling it adjoining land areas we could just call it buffer zone and define it. The Commission continued to review the section on jurisdiction and had trouble with the interpretation of what portions of the bylaw could be rebutted. Suggestions were made to relocate paragraphs or renumber paragraphs. Ms. Gumbart said that she needed to go back to the Water Resource Protection District and make sure

that the exceptions from that Bylaw are included in the Wetland Bylaw. After further discussion it was agreed to continue the discussion to a separate meeting that would be scheduled just to review the Bylaws. Ms. Gumbart will post a meeting for February 14,2006, at 8:30 p.m.

9. Wilder Pond Notice of Intent Carol Gumbart said that she is preparing the Notice of Intent (NOI) for the tree removal at Wilder Pond and that it was previously suggested that the Commission could gather the neighbors at the public hearing to find out what there plans are for trail maintenance. Ms. Gumbart said that if the Commission waits until the meeting the work would not be included in the NOI. After some discussion it was agreed that Ms. Gumbart would contact the Wards to find out what the work entails.

Respectfully submitted,

Carol A. Gumbart
Conservation Administrator

